

Senate Bill 392

By: Senators Staton of the 18th, Harp of the 29th, Carter of the 13th and Murphy of the 27th

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 33-7-11 of the Official Code of Georgia Annotated, relating to uninsured motorist coverage under motor vehicle liability policies, so as to provide that the term "insured" in motor vehicle liability policies includes officers, agents, and employees of artificial persons while performing their duties and while in the scope of their employment; to provide that such policies containing uninsured motorist coverage shall be subject to stacking or aggregating in the same manner as for policies issued to natural persons; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 33-7-11 of the Official Code of Georgia Annotated, relating to uninsured motorist coverage under motor vehicle liability policies, is amended by revising subparagraph (b)(1)(B) as follows:

"(B) 'Insured' means the named insured and, while resident of the same household, the spouse of any such named insured and relatives of either, while in a motor vehicle or otherwise; any person who uses, with the expressed or implied consent of the named insured, the motor vehicle to which the policy applies; a guest in such motor vehicle to which the policy applies; or the personal representatives of any of the above. For policies issued or renewed on or after July 1, 2006, the term 'insured' shall also mean a foster child or ward residing in the household of the named insured pursuant to a court order, guardianship, or placement by the Department of Family and Children Services or other department or agency of the state, while in a motor vehicle or otherwise. When the named insured is an artificial person, the term 'insured' means the officers, agents, and employees of the artificial person when such officers, agents, and employees are acting in furtherance of their duties for or within the scope of their employment by such artificial person. In such cases, if there are six or fewer policies of motor vehicle

1 liability insurance which include uninsured motorist coverage, then such policies shall
2 be subject to the stacking or aggregating of uninsured motorist coverage in the same
3 manner as policies for natural persons."

4 **SECTION 2.**

5 This Act shall become effective on July 1, 2008, and shall apply to all policies issued,
6 delivered, or issued for delivery in this state on and after such date.

7 **SECTION 3.**

8 All laws and parts of laws in conflict with this Act are repealed.